

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRANK FAHY,

Plaintiff,

v.

ORPHEOS TARBOX, et al.,

Defendants

No. C-09-1420 MMC

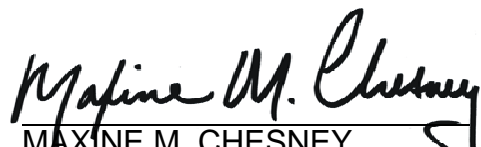
**ORDER VACATING APRIL 21, 2009
ORDER; DENYING AS MOOT
APPLICATION TO PROCEED IN FORMA
PAUPERIS**

On April 1, 2009, plaintiff filed an application to proceed in forma pauperis. On April 21, 2009, the Court denied plaintiff's application, and ordered plaintiff to make partial payment of the filing fee no later than May 15, 2009. It was subsequently brought to the Court's attention, however, that on April 8, 2009, while plaintiff's application remained pending, plaintiff paid the entire filing fee.

Accordingly, the Court's April 21, 2009 is hereby VACATED, for the reason no part of the filing fee remains to be paid. Further, the filing fee having been paid, plaintiff's application to proceed in forma pauperis is hereby DENIED as moot.

IT IS SO ORDERED.

Dated: April 23, 2009


MAXINE M. CHESNEY
United States District Judge